

DESCRIPTION OF 16.2 ACRES, MORE OR LESS, LYING IN TACOMA,
PIERCE COUNTY, WASHINGTON (PARKING FACILITIES FOR SEATTLE-
TACOMA SHIPBUILDING CORPORATION)

All that land lying and being situate in the City of Tacoma,
County of Pierce, State of Washington, more particularly described
as follows:

TRACT 1

Commencing at the point of intersection of the extensions of
the Southeasterly line of East Eleventh Street and the Southwesterly
line of Alexander Avenue; thence Southeasterly with said South-
westerly line of Alexander Avenue 180 feet, more or less to the
most Southeasterly line of Lot 26, said point being the true point
of beginning; thence continuing Southeasterly with said Southwest-
erly line 880 feet, to a point; thence Southwesterly parallel to
the Southeasterly line of East Eleventh Street, a distance of 400
feet to a point; thence Northwesterly parallel to the Southwest-
erly line of Alexander Avenue, a distance of 880 feet to a point on
the Southeasterly line of Lot 13; thence Northeasterly with the
Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22,
23, 24, 25 and 26 to the point of beginning, containing 8.1 acres,
more or less.

TRACT 2

Commencing at the point of intersection of the prolongation
of the Southeasterly line of East Eleventh Street and the North-
easterly line of Alexander Avenue; thence Southeasterly with the
Northeasterly line of Alexander Avenue 180 feet to the Southeasterly
line of Lot 30 said point being the point of beginning; thence South-
easterly with the Northeasterly line of Alexander Avenue 880 feet to
a point; thence Northeasterly parallel to the Southeasterly line of
East Eleventh Street 400 feet to a point; thence Northeasterly
parallel to the Northwesterly line of Alexander Avenue 880 feet to
the most Easterly corner of Lot 45; thence Southwesterly with the
Southeasterly lines of Lots 45, 42, 41, 40, 39, 38, 37, 36, 35, 34,
33, 32, 31 and 30, a distance of 400 feet to the point of beginning,
containing 8.1 acres, more or less.

as delineated on that certain plat entitled, "Lands to be
acquired by the United States of America, lying in Tacoma, Pierce
County, Washington."

Petitioner,

Reproduced at the National Archives-Pacific NW Region

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
DETAILS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

R.H.HA

33-49-405-2

January 21, 1943

File No
C 49-72-Ta 3

ND 13/N1-13
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gush

Chief, Bureau of Yards and Docks
Real Estate Division
Navy Department
Washington, D. C.

Dear Sir:

Reference is made to the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467 in the United States District Court for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire a term for years in certain land for the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

Enclosed herewith for your files you will find a certified copy of the petition for condemnation and order of possession entered in this proceeding, together with a certified copy of the notice and summons returnable on February 15, 1943.

Respectfully,
For the Attorney General

J. Edward Williams
J. EDWARD WILLIAMS
Acting Head, Lands Division

R.A.G. 1/31/43
File

FILE - REAL ESTATE FILES
FEB 3 - ENT

Enc. No. 692233

235431



UNITED STATES OF AMERICA }
WESTERN DISTRICT OF WASHINGTON } SS
SOUTHERN DIVISION }

JOHN F. FISHBURNE, being first duly sworn, on oath deposes and says: That he is a Special Attorney for the Department of Justice, and as such official makes this verification for and on behalf of the United States, petitioner herein; that he has read the foregoing petition, knows the contents thereof, and the same is true of his own knowledge except as to matters which are therein stated on his information and belief; the source of affiant's information and the grounds for his belief are the official communications, records, files and documents received from the Attorney General of the United States and from the Navy Department of the United States, and as to those matters he believes the foregoing petition to be true.

John F. Fishburne

SUBSCRIBED and SWORN to before me this 8 day of December, 1942.

Walter Dittley
Deputy Clerk, United States District
Court, Western District of Washington.

The foregoing is a full, true and correct copy of
the within instrument

WITNESS my hand and official seal this 14 day
of Dec 1942

JUDSON W. SHORRETT, Clerk

By Edna P. Sherman
DEPUTY

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLUMBIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

-VS-

TACOMA HARBOR LUMBER COMPANY,
a corporation;
PHILADELPHIA WERTZ COMPANY,
a corporation;
CITY OF TACOMA, a municipal
corporation;
PORT OF TACOMA;
PIERCE COUNTY, a municipal
corporation;

Also all other persons or parties
unknown claiming any right,
title, estate, lien, or interest
in the real estate described here-
in, or any portion thereof.

Respondents.

NO. 467

PETITION FOR CONDEMNATION

Now comes the United States of America by F. P. Keenan, Special Assistant to the Attorney General of the United States of America, and John V. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, at the direction and under the authority of the Attorney General of the United States pursuant to the request of the Acting Secretary of the Navy of the United States of America, and represent unto the Court as follows:

I.

This proceeding is instituted under and in accordance with the Act of Congress approved March 27, 1942 (Public Law 507, 77th Congress, which act authorizes the acquisition of land for military or other war purposes, and the Act of February 7, 1942 (Public Law 441, 77th Congress), which Act appropriated funds for such purposes.

II.

That a state of war at the date of the institution of this proceeding existed and still exists between the United States of America and the Kingdom of Japan, the Kingdom of Germany and the Kingdom of Italy.

III.

That the Acting Secretary of the Navy of the United States of

America, acting under the authority vested in him by said Acts of Congress, has determined that in his opinion it is necessary and advantageous to acquire for the United States of America a leasehold interest in certain lands hereinafter described, by condemnation under judicial process for war purposes, to-wit, to be used in connection with the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Washington.

IV.

That the Acting Secretary of the Navy of the United States of America has further determined that immediate possession of the property hereinafter described is necessary to aid in the successful prosecution of the war between the United States of America and Japan, Germany and Italy.

V.

The land in which a leasehold interest is sought and taken aggregates 16.2^{acres}, more or less, situate in Pierce County, State of Washington, being the area to be utilized for the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Washington, and more particularly described as follows:

Tract No. 1:

Commencing at the point of intersection of the extensions of the Southeasterly line of East Eleventh Street and the Southwesterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; thence continuing Southeasterly with said Southwesterly line 880 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Northwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the Southeasterly line of Lot 13; thence Northeasterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1 acres, more or less.

Tract No. 2:

Commencing at the point of intersection of the prolongation of the Southeasterly line of East Eleventh Street and the Northeasterly line of Alexander Avenue; thence Southeasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly line of East Eleventh Street 400 feet to a point; thence Northwest-erly parallel to the Northeasterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 43; thence Southwesterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 8.1 acres, more or less.

VI.

The estate sought to be condemned in said land for the public use aforesaid is a leasehold interestⁱⁿ and to said lands for the period ending June 30, 1943, with a right to renew annually for the duration of the present states of war and one year thereafter.

VII.

That this petition has made all persons, as far as ascertained, parties to these proceedings but petitioner also makes parties hereto all persons and corporations unknown owning or claiming to have any right, title, interest or estate in, or lien, encumbrance, servitude, easement, charge, demand, claim or covenant on or in respect to the property hereinbefore described.

VIII.

That the Acting Secretary of the Navy of the United States of America has made application to the Attorney General of the United States to cause the necessary proceeding to be instituted for the acquisition of a leasehold interest for the period ending June 30, 1943, with a right to renew annually for the duration of the present states of war and one

year thereafter, in the lands hereinbefore described.

IX.

That the petitioner, the United States of America, has done and performed every act and thing required by law to be done by said petitioner as a condition precedent to the beginning and maintaining of this action; that the object for which this proceeding is brought is for the purpose of ascertaining the just compensation for the taking of a leasehold interest in the property described in this petition.

WHEREFORE, the petitioner prays that the purpose of this condemnation be adjudicated to be a public use; that a jury be empaneled to fix and determine a just and proper award and compensation for the taking of a leasehold interest and use ^{of} the property herein described, or in case a jury be waived, then that the compensation to be made as aforesaid be ascertained and determined by the Court or a Judge thereof; that the Court determine the parties entitled to the sum awarded as just compensation for the taking of said land, and upon payment to or into the Registry of the Court for the use of the parties entitled, of the sum adjudged to be just compensation for the taking of a leasehold interest in the lands condemned, to adjudge and decree that a leasehold interest in said lands is acquired by the United States of America; that possession of said property herein be given to the petitioner immediately, and that the Court grant such other and further relief as may be lawful and proper.

F. P. Kamen
Special Assistant to the Attorney General

John F. Fishburne
Special Attorney, Department of Justice

Oliver Hale
Special Attorney, Department of Justice

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Petitioner,

-vs-

TACOMA HARBOR LUMBER COMPANY,
a corporation;
PHILADELPHIA QUARTZ COMPANY,
a corporation;
CITY OF TACOMA, a municipal
corporation;
PORT OF TACOMA;
PIERCE COUNTY, a municipal
corporation;

Also all other persons or per-
ties unknown claiming any right,
title, estate, lien, or interest
in the real estate described here-
in, or any portion thereof.

Respondents.

No. 467

ORDER OF POSSESSION.

This cause coming on regularly for hearing in open Court this 10 day of December, 1942, on the motion of the petitioner, the United States of America, for possession of the premises described in the petition, the petitioner, the United States of America, being represented by F. F. Keenan, Special Assistant to the Attorney General of the United States, and John V. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice; testimony having been introduced by the petitioner and the Court finding as a fact that possession of the premises described is being acquired for military purposes and that it is necessary and advantageous to acquire the same to aid in the successful prosecution of the war between the United States of America and Japan, Germany and Italy, now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the petitioner, the United States of America, have possession on the 11 day of December, 1942, of the following described property:

Tract No. 2:

Commencing at the point of intersection of the extensions of
the Southeasterly line of East Eleventh Street and the Southwesterly

line of Alexander Avenue; thence South-easterly with said South-easterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; thence continuing Southeasterly with said South-easterly line of 880 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Northwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the South-easterly line of Lot 13; thence Northeasterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1 acres, more or less.

Tract No. 2:

Commencing at the point of intersection of the prolongation of the Southeasterly line of East Eleventh Street and the North-easterly line of Alexander Avenue; thence Southeasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence South-easterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly line of East Eleventh Street 400 feet to a point; thence Northwesterly parallel to the Northwesterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 43; thence Southwesterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 8.1 acres, more or less.

It is further ORDERED, ADJUDGED and DECREED that service of a copy of this Order of Possession and a copy of the Petition for Condemnation shall be sufficient notice to vacate to all persons being in possession of, or having an interest in the property described in this Order; and the Marshal is hereby directed to immediately serve a copy of this Order of Possession and a copy of the Petition in Condemnation on all

persons named as parties respondent in this cause, and on all persons who are in possession of said premises at the time of said service, and to deliver immediate possession to the United States of America in or to its duly qualified and acting agents.

DONE IN OPEN COURT this 10 day of December, 1942.

CHARLES H. LEAVY
United States District Judge.

Presented by:

John F. Fishburne
Special Attorney for the
Department of Justice.

The foregoing is a full, true and correct copy of
the within instrument
WITNESS my hand and official seal this 14 day
of Dec 19 42
JUDITH W. SHORET, Clerk.
B. Edwin Berchman
DEPUTY

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Petitioner,

-VS-

TACOMA HARBOR LUMBER COMPANY,
a corporation;
PHILADELPHIA QUARTZ COMPANY,
a corporation;
CITY OF TACOMA, a municipal
corporation;
PORT OF TACOMA;
PIERCE COUNTY, a municipal
corporation;

Also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described herein, or any portion thereof.

Respondents.

* * * * *

NO. 467

NOTICE AND SUMMONS.

THE PRESIDENT OF THE UNITED STATES OF AMERICA TO THE ABOVE NAMED RESPONDENTS, AND EACH OF THEM:

Notice is hereby given to the above named respondents, and each of them, that hereafter, to-wit, on the 15th day of February, 1943, at the hour of ten o'clock A.M., or as soon thereafter as counsel can be heard or at such time thereafter to which this hearing may be adjourned, at the Courtroom of the United States District Court in the Post Office Building in the City of Tacoma, County of Pierce, State of Washington, and within the above-named Division and District, the above-named petitioner, the United States of America, will present to the then presiding Judge of the above-entitled court the petition of the United States of America, which has been filed in said cause in the office of the Clerk of the Court, and that thereafter said petition will be brought on for hearing at such time and place as shall be directed by the Court, or at such time or place as the said hearing may be by the Court at that time, or times, adjourned.

The object of the petition filed herein is to condemn and appropriate all of the property hereinafter described to the use and purposes of the United States of America, and to acquire, in the name of and for the United States of America a (leasehold interest) in and to said property for use in connection with the expansion of the Seattle Tacoma Shipbuilding Corporation facilities, for the

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period ending June 30, 1943 with a right to renew annually for the duration of the present states of war and one year thereafter.

And the petitioner, by the allegations of its petition herein filed and through this proceeding, prays the Court that it find and decree that the contemplated use for which the property hereinafter described is sought to be appropriated is a public use and that the public interest requires the acquisition of the land hereinafter described, and that the condemnation and appropriation of the property herein described is necessary for said public use, and the petitioner herein has petitioned the Court that an order be entered, unless a Jury be waived, directing the Marshal to summon a jury, hereafter to be empaneled, in order to ascertain and determine the compensation to be made in money to the above named respondents, and each of them, and to all tenants, encumbrancers and others interested in the property hereinafter described, insofar as the interest of each may appear.

The land in which a leasehold interest is sought and taken aggregates 16.2 acres, more or less, situate in Pierce County, State of Washington, being the area to be utilized for the expansion of the Seattle Tacoma Shipbuilding Corporation facilities, Tacoma, Washington, and more particularly described as follows:

Tract No. 1:

Commencing at the point of intersection of the extensions of the Southeasterly line of East Eleventh Street and the Southwesterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; thence continuing Southeasterly with said Southwesterly line 880 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Northwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the Southeasterly line of Lot 13; thence Northwesterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1 acres, more or less.

Tract No. 21

Commencing at the point of intersection of the prolongation of the Southeasterly line of East Eleventh Street and the Northeasterly line of Alexander Avenue; thence Southeasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly line of East Eleventh Street 400 feet to a point; thence Northwesterly parallel to the northwesterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 43; thence Southwesterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 8.1 acres, more or less.

Petitioner herein prays that, compensation having been awarded for the taking of a leasehold interest in the lands described above, said leasehold interest be decreed to be the property of the United States of America for the period ending June 30, 1943, with a right to renew annually for the duration of the present states of war and one year thereafter.

This notice has been given and proceeding instituted by and with the authority of the Attorney General of the United States of America.

WITNESS the Honorable Charles E. Leavy, Judge of the United States District Court for the Western District of Washington, and the seal thereof at Tacoma, Washington, in said District, on the 9th day of January, 1943.

JUDSON W. SHORETT, Clerk

By /s/ Elsie Birchman
Deputy

F. P. Korman
Special Assistant to the Attorney General

John E. Fishburne
Special Attorney, Department of Justice

Oliver Hahn
Special Attorney, Department of Justice

The foregoing is a full, true and correct copy of
the within instrument filed 1/9/43
WITNESS my hand and official seal this 9th day
of January 1943
JUDSON W. SHORETT, Clerk
By Elsie Birchman
DEPUTY

ND13/N1-13
F-5-3/RAG:lm
C49-72-Ta-1
C49-72-Ta-3

The Honorable
The Attorney General

JUN 14 1948

Sir:

Reference is made to the condemnation proceedings entitled United States v. 14.46 acres in Pierce County, Washington; Evelyn Clapp, et al., Civil 477, and United States v. 16.2 acres in Pierce County, Washington; Tacoma Harbor Lumber Co., et al., Civil 467.

It is now deemed necessary and advantageous to the interests of the United States to acquire the lands described in the Petitions in Condemnation in the above named cases in fee simple subject, however, to existing public utility easements. It is requested, therefore, that the Petitions be amended accordingly.

Very truly yours,

James Forrestal
Acting

cc: Com 13
Lieut. Bergman

C49-72-Ta-3

Real Estate File

RAG

(15)

BJL - HA

gak

33-49-105-2

July 1, 1943

Chief, Bureau of Yards and Docks
Real Estate Division
Department of the Navy
Washington, D. C.

Dear Sir:

Reference - United States v. 16.2 Acres of
Land in Pierce County, Washington, and Tacoma Harbor
Lumber Company, et al., No. 467, Seattle-Tacoma Ship-
building Corporation.

Enclosed herewith for your files you will find
a certified copy of the amended petition filed in this
proceeding on June 18, 1943, to acquire the fee simple
title subject to existing public utility easements.

It is hoped that the declaration of taking will
be forwarded for filing in this proceeding in the near
future.

Respectfully,
For the Attorney General

NORMAN M. LITTELL
Assistant Attorney General

Enclosure
No. 824230

343212

46

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

-VS-

TACOMA HARBOR LUMBER COMPANY,
a corporation;
PHILADELPHIA QUARRY COMPANY,
a corporation;
CITY OF TACOMA, a municipal
corporation;
PORT OF TACOMA;
PIRCE COUNTY, a municipal
corporation;

Also all other persons or parties unknown claiming any right, title, estate lien, or interest in the real estate described herein, or any portion thereof.

Respondents.

NO. 467

AMENDED PETITION FOR CONDEMNATION

Now comes the United States of America by F. P. Keenan, Special Assistant to the Attorney General of the United States of America, and John W. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, at the direction and under the authority of the Attorney General of the United States pursuant to the request of the Acting Secretary of the Navy of the United States of America, and represents unto the Court as follows:

I.

This proceeding is instituted under and in accordance with the Act of Congress approved March 27, 1942 (Public Law 507, 77th Congress), which act authorizes the acquisition of land for military or other war purposes, and the Act of February 7, 1942 (Public Law 441, 77th Congress), which Act appropriated funds for such purposes.

II.

That a state of war at the date of the institution of this proceeding existed and still exists between the United States of America and the Kingdom of Japan, the Kingdom of Germany and the Kingdom of Italy.

III.

That the Acting Secretary of the Navy of the United States of

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America, acting under the authority vested in him by said Acts of Congress, has determined that in his opinion it is necessary and advantageous to acquire for the United States of America certain lands hereinafter described, subject to existing public utility easements, by condemnation under judicial process for war purposes, to-wit, to be used in connection with the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Washington.

IV.

That the Acting Secretary of the Navy of the United States of America has further determined that immediate possession of the property hereinafter described is necessary to aid in the successful prosecution of the war between the United States of America and Japan, Germany and Italy.

V.

The land sought to be condemned and taken aggregates 16.2 acres, more or less, situate in Pierce County, State of Washington, being the area to be utilized for the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Washington, and more particularly described as follows:

Tract No. 11

Commencing at the point of intersection of the extensions of the Southeasterly line of East Eleventh Street and the Southwesterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; thence continuing Southeasterly with said Southwesterly line 880 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Northwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the Southeasterly line of Lot 13; thence Northeasterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1 acres, more or less.

Tract No. 21

Commencing at the point of intersection of the prolongation of the Southeasterly line of East Eleventh Street and the Northwesterly line of Alexander Avenue; thence Southwesterly with the Northwesterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northwesterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly

Tract Examined by G.A.O.
Date 10/10/94
P22

line of East Eleventh Street 400 feet to a point; thence Northwest-
erly parallel to the Northwesterly line of Alexander Avenue 680
feet to the most Easterly corner of Lot 43; thence Southwesterly
with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37,
36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point
of beginning, containing 6.1 acres, more or less.

VI.

The estate sought to be condemned in said land, for the public use
aforesaid, is the full fee simple title thereto, subject, however, to exist-
ing public utility easements.

VII.

That this petition has made all persons, as far as ascertained,
parties to these proceedings but petitioner also makes parties hereto all
persons and corporations unknown owning or claiming to have any right, title,
interest or estate in, or lien, encumbrance, servitude, easement, charge,
demand, claim or covenant on or in respect to the property hereinbefore
described.

VIII.

That the Acting Secretary of the Navy of the United States of
America has made application to the Attorney General of the United States
to cause the necessary proceeding to be instituted for the acquisition of
the fee simple title to the land as set forth heretofore.

IX.

That the petitioner, the United States of America, has done and
performed every act and thing required by law to be done by said petitioner
as a condition precedent to the beginning and maintaining of this action;
that the object for which this proceeding is brought is for the purpose of
ascertaining the just compensation for the taking by the United States of
America of the fee simple title in and to the property described in this
petition.

WHEREFORE, the petitioner prays that the purpose of this condemna-
tion be adjudicated to be a public use; that a jury be empaneled to fix and
determine a just and proper award and compensation for the taking of the
property heretofore described, or in case a jury be waived, then that the
compensation to be made as aforesaid be ascertained and determined by the
Court or a Judge thereof; that the Court determine the parties entitled to
the sum awarded as just compensation for the taking of said land, and upon

payment to or into the Registry of the Court for the use of the parties entitled, of the sum adjudged to be just compensation for the taking of the above-described property, to adjudge and decree that title to said land is vested in the United States of America in fee simple absolute; that possession of said property herein be given to the petitioner immediately and that the Court grant such other and further relief as may be lawful and proper.

P. P. Keenan
Special Assistant to the Attorney
General

John W. Fishburne
Special Attorney for the Department
of Justice

Olinier Malm
Special Attorney for the
Dept of Justice

UNITED STATES OF AMERICA)
WESTERN DISTRICT OF WASHINGTON)
SOUTHERN DIVISION)

JOHN W. FISHBURN, being first duly sworn, on oath
deposes and says:

That he is a Special Attorney, Department of Justice,
and as such makes this verification for and on behalf of the
United States, petitioner herein; that he has read the foregoing
petition, knows the contents thereof, and the same is true of his
own knowledge except as to matters which are therein stated on his
information and belief; the source of affiant's information and
the grounds for his belief are the official communications, records,
files and documents received from the Attorney General of the United
States and from the Navy Department of the United States, and as to
those matters he believes the foregoing petition to be true.

John W. Fishburn
Special Attorney, Dept. of Justice

SUBSCRIBED and SWORN to before me this 18th day of June, 1943.

Edwin Burckman
Deputy Clerk, United States
District Court, Western District of
Washington.

The foregoing is a full, true and correct copy of
the within instrument
WITNESS my hand and official seal this 18 day
of June 1943

JUDSON W. SHORRETT, Clerk
Edwin Burckman
DEPUTY

JUN 20 5 11 PM '43

C49-72-9a-3

269 Jul 13

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

United States of America,

Petitioner,

v.

Civil No. 467

16.2 acres of land in Pierce
County, Washington; Tacoma
Harbor Lumber Company, et al.,

Defendants

DECLARATION OF TAKING

WHEREAS, pursuant to the Acts of Congress approved March 27, 1942 (Public Law 507, 77th Congress) and February 7, 1942 (Public Law 441, 77th Congress), the above styled condemnation proceeding has been instituted,

NOW, THEREFORE, pursuant to the provisions of the Act of Congress approved February 26, 1921 (41 Stat. 1121), I, Acting Secretary of the Navy, acting for and in behalf of the Secretary of the Navy, do hereby make and cause to be filed this Declaration of Taking, and by virtue of authority thereof do hereby state that the lands selected for acquisition are shown as Parcels 12 and 13 on the map entitled "U. S. Navy Seattle & Tacoma Shipyard Site," dated June, 1943, attached hereto as Exhibit "A". The lands selected for acquisition aggregate Sixteen and Two Tenths (16.2) acres, more or less, in Pierce County, Tacoma, Washington, and are more particularly described as follows:

Parcel 12. Commencing at the point of intersection of the prolongation of the southeasterly line of East Eleventh Street and the northeasterly line of Alexander Avenue; thence southeasterly with the northeasterly line of Alexander Avenue, 120 feet to the southeasterly line of Lot 30, said point being the point of beginning; thence southeasterly with the northeasterly line of Alexander Avenue, 280 feet to a point; thence northeasterly parallel to the southeasterly line of East Eleventh Street.

400 feet to a point; thence northwesterly parallel to the northwesterly line of Alexander Avenue 880 feet to the most easterly corner of Lot 43; thence southwesterly with the southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet, to the point of beginning, containing 8.08 acres, more or less, Pierce County, Washington.

Parcel 11. Commencing at the point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue; thence southeasterly with said southwesterly line of Alexander Avenue, 120 feet, more or less, to the southeasterly line of Lot 26, said point being the true point of beginning; thence continuing southeasterly with said southwesterly line 880 feet to a point; thence southwesterly parallel to the southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the southeasterly line of Lot 13; thence northeasterly with the southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.08 acres, more or less, Pierce County Washington.

And I do declare the lands to be taken under authority of the aforesaid Acts of Congress; that the use to which the lands are to be put is the expansion of the Seattle-Tacoma Shipbuilding Facilities; and that the estate hereby taken in said lands for the public use aforesaid is in fee simple, (subject, however, to existing public utility easements.

And I do hereby state that the sum of money estimated by me to be just compensation for all of said lands, improvements thereon, and appurtenances thereunto belonging is Six Thousand Six Hundred Eighty-One Dollars (\$6,681.00), which is hereby deposited into the registry of the court for the use and benefit of the persons entitled thereto. The amounts of just compensation for said lands which are hereby taken are shown on Schedule "A".

I am of the opinion that the ultimate award for the taking of said lands will be within the limits prescribed by Congress.

C49-72-5a-3

Abstract Examined by G.A.C.
Date NOV 8 1944

IN WITNESS WHEREOF, the Petitioner, by and through the Acting Secretary of the Navy, acting for and in behalf of the Secretary of the Navy, has caused this Declaration of Taking to be signed and the seal of the Navy Department to be affixed hereto in the City of Washington, District of Columbia, this 26th day of July, 1943.

UNITED STATES OF AMERICA

(SEAL)

By James Forrestal
Acting Secretary of the Navy

C49-72-7a-8

-3-

SCHEDULE "A"

The names of the persons having title to or other interests in the lands described in the within Declaration of Taking, and the amounts estimated to be just compensation for each respective ownership are as follows:

Parcel	Name	Acres	Compensation
12A	Tacoma Harbor Company	2.57	\$ 1,235.00
12B	Philadelphia Quartz Co.	2.40	720.00
12C	City of Tacoma	3.11	777.00
13A	Tacoma Harbor Lumber Co.	3.68	2,640.00
13B	City of Tacoma	1.33	532.00
13C	Port of Tacoma	2.87	777.00
		<hr/> 16.16	<hr/> \$ 6,681.00

C 44-72-52-3

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE
WASHINGTON, D. C. (25)

R.J.L.:HA

33-49-405-2

September 13, 1943

7/13/11-13
F-5

Chief, Bureau of Yards and Docks
Real Estate Division
Department of the Navy
Washington, D. C.

Dear Sir:

Reference-United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket 467, expansion Seattle-Tacoma Shipbuilding Company Project.

Enclosed herewith for your files, you will find a certified copy of the judgment on the declaration of taking entered in this proceeding on August 31, 1943, together with a receipt of the court of clerk for the sum of \$6,681.00, deposited as estimated just compensation.

A valid title to the land and estate described in the judgment on the declaration of taking vested in the United States of America on August 31, 1943.

Respectfully,
For the Attorney General

J. Edward Williams
J. EDWARD WILLIAMS
Acting Head, Lands Division

Abstract Examined by G. J. B.
NOV 8 1944
Date

Enclosure No. 878683



393762

50

Docket Out

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 acres of land in Pierce County,
Washington, and Tacoma Harbor Lumber
Company, et al.,

Respondents

Initial Partial

T R A N S C R I P T

NO. 467 _____

Parcel _____

33-49- 405-2

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

NO. 457

vs
16.2 Acres of Land in Pierce County
Washington and
TACOMA LUMBER COMPANY,
a corporation; et al.,
PHILADELPHIA QUARTZ COMPANY OF
CALIFORNIA, LTD., a California
corporation;
CITY OF TACOMA, a municipal
corporation;
PORT OF TACOMA;
PIERCE COUNTY, a municipal
corporation;

JUDGMENT ON THE DECLARATION
OF TAKING.

also all other persons or par-
ties unknown claiming any right,
title, estate lien, or interest
in the real estate described here-
in, or any portion thereof.

Respondents.

This day comes the petitioner, the United States of America, by F.
P. Keenan, Special Assistant to the Attorney General, and John W. Fishburne
and Oliver Main, Special Attorneys for the Department of Justice, and moves
the Court to enter a judgment vesting title in the United States of America,
in and to the property, together with all the improvements thereon and
appurtenances thereto belonging, hereinafter more particularly described.

It appearing to the Court that there is on file in this cause a
petition in condemnation instituted under and in accordance with the
Acts of Congress approved March 27, 1942, (Public Law 507, 77th Congress)
and February 7, 1942 (Public Law 441, 77th Congress).

It further appearing to the Court that an order of possession was
signed and entered in this cause on the 10th day of December, 1942,
granting possession on the 11th day of December, 1942 to the United States
of America of 16.2 acres of land, more or less, being more particularly
described in said order of possession, and that a declaration of taking
having been filed herein, and the Court being fully advised in the premises
finds as follows:

1 FIRST: That the United States of America is entitled to acquire
2 property by eminent domain under the provisions of the Acts of Congress
3 approved March 27, 1942, (Public Law 507, 77th Congress) and February
4 7, 1942 (Public Law 441, 77th Congress) and under the further provision
5 of the act of Congress approved February 26, 1951 (46 Stat. 1421).

6 SECOND: That a petition for condemnation was filed at the request
7 of the Acting Secretary of the Navy of the United States, the authority
8 empowered by law to acquire the land described in said petition, and also
9 under the authority of the Attorney General of the United States.

10 THIRD: That in said petition and declaration of taking a statement
11 of the authority under which and the public use for which said land, to-
12 gether with the improvements thereon and appurtenances thereunto belong-
13 ing is taken is set out, and that James Forrestal, Acting Secretary of the
14 Navy, is the person duly authorized and empowered by law to acquire land
15 such as is described in the petition for the purposes aforesaid, and that
16 the Attorney General of the United States is the person authorized by law
17 to direct the institution of such condemnation proceedings.

18 FOURTH: That a proper description of the land sought to be taken,
19 together with all the improvements thereon and appurtenances thereunto
20 belonging, sufficient for the identification thereof, is set out in said
21 declaration of taking.

22 FIFTH: A statement of the estate or interest in said land taken for
23 said public use is set out in said declaration of taking.

24 SIXTH: A plat showing the land taken is annexed to and incorporated
25 in said declaration of taking.

26 SEVENTH: A statement of the sum of money estimated by said acquiring
27 authority to be just compensation for the land taken, together with all
28 the improvements thereon and the appurtenances thereunto belonging, to-wit,
29 the sum of six thousand Six Hundred Eighty-one (\$6,681.00) Dollars is set
30 out in said declaration of taking and said sum has been deposited in the
31 Registry of the Court.

EIGHTH: That there is a statement in said declaration of taking that the estimated ultimate award of damages for the taking of said property, in the opinion of the Acting Secretary of the Navy of the United States, probably will be within any limits prescribed by Congress to be paid as a price therefor.

And the Court having fully considered said petition in condemnation and the declaration of taking and the statutes in such case made and provided, is of the opinion that the United States of America is entitled to take said property, together with all the improvements thereon and appurtenances thereunto belonging, and have the title thereto vested in it pursuant to the act of Congress approved February 26, 1931 (46 Stat. 1421). It is therefore considered by the Court, and it is the order, judgment and decree of the Court, that title to the following described land together with all the improvements thereon and the appurtenances thereunto belonging, in fee simple absolute, subject, however, to existing public utility easements, be and the same is hereby vested in the United States of America, and said land, together with all the improvements thereon and appurtenances thereunto belonging, is deemed to be condemned and taken and is condemned and taken for the use of the United States, and the right to just compensation shall vest in the persons entitled thereto as of the time of the filing of the declaration of taking herein simultaneously with the passage of title to the petitioner, the United States of America, and when said compensation shall be determined herein it shall be awarded in this proceeding to the persons entitled thereto and established by judgment pursuant to law.

The land so condemned and taken by said declaration of taking aggregates 16.2 acres, more or less, situate and being in the County of Pierce, State of Washington, wholly within the Western District of Washington, and is described as follows:

Parcel 12. Commencing at the point of intersection of the prolongation of the southeasterly line of East Eleventh Street and the northeasterly line of Alexander Avenue; thence southeasterly with the

northwesterly line of Alexander Avenue, 120 feet to the southeasterly line of Lot 30, said point being the point of beginning; thence southeasterly with the northeasterly line of Alexander Avenue, 880 feet to a point; thence northeasterly parallel to the southeasterly line of East Eleventh Street, 400 feet to a point; thence northwesterly parallel to the northwesterly line of Alexander Avenue 880 feet to the most easterly corner of Lot 43; thence southwesterly with the southeasterly line of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet, to the point of beginning, containing 8.08 acres, more or less, Pierce County, Washington.

Parcel 13; Commencing at the point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue; thence southeasterly with said southwesterly line of Alexander Avenue, 120 feet, more or less, to the southeasterly line of Lot 26, said point being the true point of beginning; thence continuing southeasterly with said southwesterly line 880 feet to a point; thence southwesterly parallel to the southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the southeasterly line of Lot 13; thence northeasterly with the southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.08 acres, more or less, Pierce County Washington.

SUBJECT, however, to existing public utility easements.

It is further ORDERED that the return date in the above-entitled cause be and is hereby fixed as Monday, the 4th day of October, 1943, at 1:45 P.M.

DONE IN OPEN COURT this 31st day of August, 1943.

CHARLES H. LEVY
United States District Judge

Presented by:

OLIVER MALE
Special Attorney
Department of Justice

The foregoing is a full, true and correct copy of the within instrument, filed on Aug. 31, 1943
WITNESS my hand and official seal this 31st day of Aug. 1943

JUDSON W. SHORRETT, Clerk
By Clara L. Burman DEPUTY

323185

August 31, 1943.

I, JUDSON W. SHORETT, Clerk of the United States District Court for the Western District of Washington, do hereby certify that I have this 31st day of August, 1943 received from Oliver Malm, Special Attorney for the Department of Justice, Treasury Check No. 296,025 in the sum of Six Thousand Six Hundred Eighty-One (\$6,681.00) Dollars, estimated award in the condemnation proceedings for acquisition of fee title, subject to, however, existing public utility easements, to land in Pierce County, Washington, Cause No. 467, United States v. 16.2 Acres of Land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Respondents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at Tacoma, Washington, this 31st day of August, 1943.

JUDSON W. SHORETT, Clerk

By 
Deputy Clerk

1943 FEB 12 AM 1 01

MAILED
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Office of the Attorney General
Washington, D.C.

March 25, 1944

Honorable Frank Knox
Secretary of the Navy
Washington, D. C.

SO3 31 63



My dear Mr. Secretary:

I have examined the enclosed final title certificate and certified copy of final judgment entered March 4, 1944 for Parcel 13-C in the condemnation proceeding entitled United States v. 16.2 Acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467, in the District Court of the United States for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire certain land for use in connection with the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

The Department advised in a letter dated February 3, 1944, that upon the deposit of \$223.00, the amount of the deficiency judgment, the condemnation proceeding with respect to this parcel would be brought to a satisfactory conclusion. There is enclosed herewith a receipt of the Clerk of the Court for the deficiency deposit. The total compensation for this parcel was the sum of \$1,000.00.

From my examination of the enclosed papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion with respect to Parcel No. 13-C. A valid title to the land, more particularly described in the deficiency judgment, is now vested in the United States of America.

Respectfully,

AN encl. rec'd;
CROSS MAIL ROOM

C49-72-TA-3

Francis Biddle
Attorney General

Docket Out

538158

PRINT

QM-

D13/N1-13

F-5

ADDRESSEE REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
DETAILS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON 25, D. C.

B/L - HA

33-49-405-2

February 3, 1944

Chief
Bureau of Yards and Docks
Real Estate Division
Department of the Navy
Washington, D. C.

Dear Sir:

Reference - United States v. 16.2 Acres of land
in Pierce County, Washington, and Tacoma Harbor Lumber
Company, et al., Docket 467, Seattle-Tacoma Shipbuilding
Corporation.

Enclosed herewith you will find preliminary and
supplemental title evidence, one certified and two un-
certified copies of the judgment entered as follows:

<u>Parcel</u>	<u>Deposit</u>	<u>Compensation</u>	<u>Judgment</u>	<u>Deficiency</u>
13-C	\$777.00	\$1,000.00	1-3-44	\$223.00

When a check in the sum of \$223.00 in payment of
the deficiency judgment is received by this Department, it
will be forwarded to the field with appropriate instructions
for the conclusion of the proceeding.

Respectfully,
For the Attorney General

Norman M. Littell
NORMAN M. LITTELL
Assistant Attorney General

Enclosure
No. 166659



CH
494808

No. C49-72-TA-3

21000

53 | File

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 Acres of Land in Pierce County
Washington, and Tacoma Harbor Lbr.
Co., et al.

Respondents

INTERMEDIATE PARTIAL

T R A N S C R I P T

NO. 467

Parcel 130

33-49-405-2

DEFICIENCY

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-~~100~~ / 3 C

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PORT OF TACOMA, a Municipal corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use
and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be
duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Horace Fogg President
Sumner E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

H. S. Booth President
Sumner E. Perry Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-One (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the northwest corner of said Section 35; thence on the north line of said section south $89^{\circ}48'35''$ east 355.04 feet to the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue south $47^{\circ}15'36''$ east 158.76 feet to a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence south $42^{\circ}44'24''$ west 400 feet; thence north $47^{\circ}15'36''$ west 272.25 feet to the west line of said Section 35; thence north $0^{\circ}03'37''$ west 217.94 feet to the place of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; or which otherwise may be known actually to exist, but which may not be of record.

1. Assessment for water main, District 5138, payable in 10 annual installments with interest. Original amount \$22.35. No payments have been made and all installments are now delinquent.
2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
3. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.
4. Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating use of said lands.
5. Right, title and interest of the City of Tacoma, as to an undivided one-half interest in "that portion of north half of northwest quarter of northwest quarter of said Section 35, lying Southeasterly of East 11th Street and within 900 feet therefrom" as disclosed by local improvement assessment deed recorded under Auditor's Fee No. 1267536, records of said county.

(End of Schedule B)

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA, WASHINGTON

January 3, 1944

Telephone Broadway 1281

No. 30220-130

CAUSE #467

SUPPLEMENTAL REPORT

Department of Justice
Lands Division
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title you are advised that the records show no change since the effective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATE OF AMERICA, subject further to the following:

1. The matter noted in paragraph 4 of said preliminary report.

NOTE: The assessment noted in paragraph 1 of said preliminary report has been paid and the matters noted in paragraphs 2, 3 and 5 may now be disregarded.

Records examined to December 28, 1943, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

Stewart E. Perry

Assistant Secretary

RJM

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

CERTIFICATE OF TITLE

No. 30220-13C

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

ONE THOUSAND and No/100 --- DOLLARS (\$1000.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use
and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be
duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harold Fogg President
James E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
William C. Williams Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian; described as follows:

Beginning at the northwest corner of said Section 35; thence on the north line of said section south $89^{\circ}48'35''$ east 355.04 feet to the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue south $47^{\circ}15'36''$ east 158.76 feet to a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence south $42^{\circ}44'24''$ west 400 feet; thence north $47^{\circ}15'36''$ west 272.25 feet to the west line of said Section 35; thence north $0^{\circ}03'37''$ west 217.94 feet to the place of beginning.

1974 MAR 31 10 10 20

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

(End of Schedule B)

CM:bjk

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce
County, Washington, and Tacoma
Harbor Lumber Company a corporation
et al.,

FORT OF TACOMA, a municipal corporation,

Respondents.

DECRET NO. 467

JUDGMENT AND ORDER TO
PAY FUNDS AND GRANTING
A DEFICIENCY JUDGMENT
ON PARCEL NO. 18-C.

Entered 1-3-44

This matter coming on regularly for hearing this day on the petition of the respondent, Fort of Tacoma, a municipal corporation, to withdraw the sum of Seven Hundred Seventy-seven (\$777.00) Dollars heretofore deposited with the Clerk of this Court by the United States of America as estimated just compensation for the taking of Parcel No. 18-C, being a portion of the real property designated in the petition for condemnation and the declaration of taking herein as Parcel No. 18, said Parcel No. 18 and Parcel No. 18-C being more particularly hereinafter described, and for the sum of Two Hundred Twenty-three (\$223.00) Dollars as a deficiency judgment, and said respondent by the filing of its petition having appeared herein, having consented to the jurisdiction of this Court, having waived notice of hearing and having agreed to accept the sum of One Thousand (\$1,000.00) Dollars as full settlement of all claims against the United States of America for, and as a final award of just compensation for the taking of said real property, and the Court having considered said petition and having considered the proof offered as to the rights of said Respondent to the sum claimed and as to the fair and reasonable value of the property so taken, and the Court being generally duly advised in the premises, now, therefore, it is hereby,

ORDERED and ADJUDGED that the ^{4848.00}~~5122.00~~ this Court pay the sum of Seven Hundred Seventy-seven (\$777.00) Dollars to the Fort of Tacoma, a municipal corporation, said sum of Seven Hundred Seventy-seven (\$777.00)

1 dollars having heretofore been deposited with the Clerk of this Court
2 as just compensation for the taking of said Parcel No. 15-C by the United
3 States of America,

4 It is further ORDERED and ADJUDGED that the Port of Tacoma, a
5 municipal corporation, has and hereby recovers of and from the petitioner
6 the United States of America, a deficiency judgment in the sum of Two
7 Hundred-Twenty-three (\$223.00) Dollars, without interest.

8 It is further ORDERED, ADJUDGED and DECREED that the payment of
9 Seven Hundred Seventy-seven (\$777.00) Dollars together with said deficiency
10 judgment in the amount of Two Hundred Twenty-three (\$223.00) Dollars shall
11 constitute full settlement of all claims against the United States of
12 America and the final award of just compensation for the taking of the
13 real estate, situate in Pierce County, State of Washington and more
14 particularly described as follows:

15 PARCEL NO. 15-C

16 Portion of northwest quarter of northwest quarter of
17 Section Thirty-five (35), Township Twenty-One (21)
North, Range Three (3), East of the Willamette Meridian,
described as follows:

18 Beginning at the northwest corner of said Section
19 35; thence on the north line of said section south 89°
20 48' 35" east 255.04 feet to the southwesterly line of
21 Alexander Avenue as now laid out by the City of Tacoma;
22 thence on said line of Avenue south 47° 15' 35" east
23 158.75 feet to a line parallel with and 800 feet south-
24 easterly of the southeasterly line of Block 5 of "State
25 Land Commissioner's Replat of Blocks 15 to 48, both in-
26 clusive, Tacoma Tide Lands, formerly in King County,
27 Washington", commonly referred to as 'Ashton's Replat';
28 thence south 42° 44' 24" west 400 feet; thence north
29 47° 15' 35" west 272.25 feet to the west line of said
30 Section 35; thence north 0° 05' 37" west 217.94 feet to
31 the place of beginning.

32 which said Parcel No. 15-C is a portion of the following described
property, situate in the County of Pierce, State of Washington, to-wit:

PARCEL NO. 15:

Commencing at the point of intersection of the extensions
of the southeasterly line of East Eleventh Street and the
southwesterly line of Alexander Avenue; thence southeasterly
with said southwesterly line of Alexander Avenue, 120 feet
more or less, to the southeasterly line of Lot 28, said
point being the true point of beginning; thence continuing
southeasterly with said southwesterly line 800 feet to a
point; thence southeasterly parallel to the southwesterly line
of East Eleventh Street, a distance of 400 feet to a point;
thence northeasterly parallel to the southwesterly line of
Alexander Avenue, a distance of 800 feet to a point on the

southeasterly line of Lot 15; thence northeasterly with the southeasterly lines of lots 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.08 acres, more or less, Pierce County Washington.

It is further ORDERED, ADJUDGED and DECREED that fee simple legal title to Parcel No. 15-C hereinabove described is vested in the United States of America free and clear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 3rd day of January, 1947.

CHARLES H. LEAVY
United States District Judge.

Presented by:

Henry I. Kye

OLIVER MAIR
Special Attorney
Department of Justice

Approved as to form and contents:

TRAYS & TRATS

By Leo L. Lutz
Attorneys for Port of Tacoma,
a municipal corporation.

The foregoing is a full, true and correct copy of the within instrument

WITNESS my hand and official seal this 4th day of January, 1947.

JUDSON W. SHORRITT, Clerk

By John L. Lutz
JOHN L. LUTZ, C. DEPUTY

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

DOCKET NO. 467

Petitioner,

vs.

16.8 Acres of Land in Pierce
County, Washington, and Tacoma
Harbor Lumber Company, et al.,
and

PORT OF TACOMA, a municipal cor-
poration;

Respondents.

FINAL JUDGMENT
AND ORDER DIRECTING
CLERK TO PAY DEFICIENCY

amended JUDGMENT FOR PARCEL NO. 18-C.
The foregoing is a full, true and correct copy of
the within instrument

WITNESS my hand and official seal this 17th day
of March 1944

JUDSON WASHBURNETT, Clerk

By Charles H. Leavy
DEPUTY
(Filed March 4th, 1944)

This matter coming on regularly for hearing this day and it
appearing to the Court that on January 3rd, 1944 deficiency judgment
in the sum of Two Hundred Twenty-three (\$223.00) Dollars without interest,
was entered herein in favor of the Port of Tacoma, a municipal corpora-
tion against the United States of America on account of the taking
of Parcel No. 18-C, therein described, and it further appearing to the
Court that on March 3rd, 1944 the sum of Two Hundred Twenty-three (\$223.00)
Dollars was deposited by the United States of America in the registry
of this Court for and on account of said deficiency judgment, and the
Court being generally duly advised in the premises, now, therefore, it
is hereby,

ORDERED that the Clerk of this Court be and he is hereby authorized
and directed to pay to the Port of Tacoma, a municipal corporation, the
sum of Two Hundred Twenty-three (\$223.00) Dollars in full payment and
satisfaction of said deficiency judgment.

It is further ORDERED that payment of said deficiency judgment shall
and does constitute full settlement of all claims against the United
States of America for the taking of said Parcel No. 18-C, the property
described in said judgment of January 3, 1944.

DONE IN OPEN COURT this 4th day of March, 1944.

Presented by:

CHARLES H. LEAVY

United States District Judge

Anthony P. Little
Special Attorney
Department of Justice

538158

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Office of the Attorney General
Washington, D.C.

April 29, 1944

ND13 / NI-13
F-5

Secretary of the Navy
Washington, D. C.

My dear Mr. Secretary:

I have examined the transcript of record and the enclosed preliminary, supplemental and final title certificates and copy of final judgments entered with respect to Parcels Nos. 12-C and 13-B in the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467, in the United States District Court for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire certain land for the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

Subsequent to the filing of the declaration of taking, the court entered judgments determining that the amount on deposit, or a lesser amount, was the just compensation for the taking of these parcels, as follows:

Parcel	Refund	Amount	Judgment
12-C	\$137.75	\$639.25	March 29, 1944
13-B		532.00	do.
	137.75	\$1,171.25	

From my examination of the above papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion with respect to these tracts. A valid title to the land, more particularly described in the final judgment, is now vested in the United States of America.

There is enclosed herewith a United States Treasury check in the amount of \$137.75, representing the refund for Parcel 12-C.

Respectfully,

Francis Biddle 58
Attorney General

Qm - Seattle-Tacoma Shipbuilding Corp.

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check - m. l.

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563624

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 Acres of Land in Pierce County,
Washington and Tacoma Harbor Lumber
Company, et al.,

Respondents

FINAL PARTIAL
T R A N S C R I P T

NO. 467

Parcel 13-B

33-49-405-2

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-136 138

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

CITY OF TACOMA, a Municipal corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Horace Fogg President
Glenn F. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. J. Booth President
Glenn F. Perry Assistant Secretary

563624

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SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of southwest quarter of southwest quarter of Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the south line of said Section south $89^{\circ}48'35''$ east 355.04 feet to an intersection with the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue north $47^{\circ}15'36''$ west 468.30 feet to the Government Meander line in front of said Section 26; thence on said meander line south $69^{\circ}17'27''$ west 12.25 feet to an intersection with the west line of said Section; thence on said Section line south $0^{\circ}03'37''$ east 32.23 feet to the place of beginning.

563624

30220-13C

PAGE 2 OF CERTIFICATE No.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

1. Assessment for water main, District 5138, payable in 10 annual installments with interest. Original amount \$14.85. No payments have been made and all installments are now delinquent.
2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
3. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al. in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.

(End of Schedule B)

563524

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

Telephone Broadway 1281

W. R. RUST BUILDING

TACOMA, WASHINGTON

March 16, 1944

No. 30220-13B

Cause #467

SUPPLEMENTAL REPORT

Department of Justice
Lands Division
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA, subject to the following:

1. General taxes for the year 1944, if any.

NOTE: The assessment noted in paragraph 1 of said preliminary report has been paid and the matters noted in paragraphs 2 and 3, may now be disregarded.

Records examined to March 11, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

William E. Coffey

Assistant Secretary

563624

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce County,
Washington and TACOMA HARBOR LUMBER
COMPANY, a corporation, et al., and

CITY OF TACOMA, a municipal corporation,

Respondents.

DOCKET NO. 487

JUDGMENT AWARDED COMPENSATION
AND DIRECTING CLERK TO PAY
FUNDS ON DEPOSIT FOR PARCEL
NO. 13-B.

(Filed March 29th, 1944)

This matter coming on regularly for hearing this day on the stipulation herein by and between the petitioner, United States of America, and respondent, City of Tacoma, a municipal corporation, petitioning for the withdrawal of the sum of \$532.00 deposited with the Clerk of this Court by the United States of America, as estimated just compensation for the taking of the real property designated in the petition in condemnation and the declaration of taking as Parcel No. 13-B. and hereinafter more fully described, and said respondent having agreed by said stipulation to accept the sum of \$532.00 as full settlement of all claims against the United States of America for, and as final award of just compensation for the taking of said real property, and the Court having considered the proof offered as to the rights of said respondent to the sum claimed and as to the fair and reasonable value of the property so taken, and the Court being duly advised in the premises, now therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the Clerk of this Court be, and he is hereby directed to pay the sum of \$532.00 to the City of Tacoma, a municipal corporation.

It is further ORDERED, ADJUDGED and DECREED that the sum of \$532.00 is the full and fair value of the real estate below described, and that the payment in full of said \$532.00 shall constitute full settlement of all claims against the United States of America for, and the final award of just compensation for the taking of the said real estate, situate in Pierce County, Washington and more particularly described as follows:

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PARCEL NO. 13-B1

Portion of southwest quarter of southwest quarter of Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the south line of said Section south 89° 48' 35" east 355.04 feet to an intersection with the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue north 47° 15' 36" west 463.29 feet to the Government Meander line in front of said Section 26; thence on said meander line south 69° 17' 27" west 12.25 feet to an intersection with the west line of said Section; thence on said Section line South 0° 03' 37" east 512.25 feet to the place of beginning.

It is further ORDERED, ADJUDGED and DECREED that the fee simple title to the above-described land is vested in the United States free and clear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 29 day of March, 1944.

CHARLES W. LEAVY
United States District Judge

Presented by:

Anthony L. Stella
Special Attorney
Department of Justice

The foregoing is a full, true and correct copy of
the within document, this 1 day
of April 1944.

JUL 1 1944
By [Signature] DEPUTY

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Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

CERTIFICATE OF TITLE
No. 30220-13B

Cause #467

THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

FIVE HUNDRED THIRTY-TWO and No/100 --- DOLLARS (\$532.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

~~Commonwealth Title Insurance Company~~

Harold Fogg President
James T. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

~~WASHINGTON TITLE INSURANCE COMPANY~~

L. S. Booth President

Assistant Secretary

SCHEDULE A

giving the legal description of the real estate covered by this certificate.
the following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of southwest quarter of southwest quarter of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the south line of said Section, south $89^{\circ}48'35''$ east 355.04 feet to an intersection with the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue north $47^{\circ}15'36''$ west 468.30 feet to the Government meander line in front of said Section 26; thence on said meander line south $69^{\circ}17'27''$ west 12.25 feet to an intersection with the west line of said Section; thence on said Section line south $0^{\circ}03'37''$ east 312.23 feet to the place of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all
nts, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances;
other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now
st of record. ; or which otherwise may be known actually to exist, but
h may not be of record.

(End of Schedule B)

WDJ/AL-12
1-5-1/1412
01-72-1003

February 16, 1944

Assistant Attorney General
Lands Division
Department of Justice

Sir:

Reference is made to the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, Tacoma Harbor Light Company, et al., Civil No. 157 and to your letter of November 14, 1943, your file No. 33-39-105-2.

It is agreeable to this Department to stipulate with the former owner of Tract 15-C for the expropriation of the southeasterly 69 feet of said tract and settlement for the remaining portion for the sum of \$639.75. It is requested that, in accordance with the offer of the City, the stipulation provide for a reservation to the Navy Department of an easement for parking privileges for the duration of the war covering that portion of the premises to be expropriated.

Very truly yours,

ARTHUR J. MURPHY
By direction of Chief of Bureau

cc: Mr. C. E. Wilson
Public
Shipyards, Seattle-Tacoma
Shipbuilding Corporation

See Enc. File

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~~Commonwealth Title Insurance Company~~

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY
CERTIFICATE OF TITLE

No. 30220-120

Cause No. 467

UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the said described real estate was indefeasibly vested in fee simple of record in:

July, 1943 at 8:00 o'clock A.M.,

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M.,

CITY OF TACOMA, a Municipal corporation,

except only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use
that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be
signed in accordance with its by-laws.

~~Commonwealth Title Insurance Company~~

Howard Fogg President
Sumner E. Perry Assistant-Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing
certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

~~WASHINGTON TITLE INSURANCE COMPANY~~

L. S. Booth President
Willis C. Culpried Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of North half of northwest quarter of northwest quarter of Section Thirty-five (35) and of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said section north $0^{\circ}3'37''$ west 312.23 feet; thence north $69^{\circ}17'27''$ east 126.59 feet; thence south $89^{\circ}48'35''$ east 26.19 feet to the true place of beginning of this description; thence south $89^{\circ}48'35''$ east 591.55 feet to a line parallel with and 400 feet northeasterly of the northeasterly line of Alexander Avenue; thence on said parallel line south $47^{\circ}15'30''$ east 120.83 feet; thence south $42^{\circ}44'24''$ west 400 feet to said line of Alexander Avenue; thence on said line of Avenue north $47^{\circ}15'36''$ west 556.49 feet to the true place of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

1. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.

(End of Schedule B)

PRESIDENT

Reproduced at the National Archives-Pacific NW Region

STEWART E. PERRY, SECRETARY

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA, WASHINGTON

March 16, 1944

No. 30220-120

Cause #467

SUPPLEMENTAL REPORT

Department of Justice
Lands Division
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATE OF AMERICA, free from all liens and encumbrances.

NOTE: The matter noted in paragraph 1 of said preliminary report may now be disregarded.

Records examined to March 11, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

Stewart E. Perry

Assistant Secretary

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce
County, Washington and TACOMA
HARBOR LUMBER COMPANY, a cor-
poration, et al., and

CITY OF TACOMA, a municipal cor-
poration;

Respondents.

DOCKET NO. 467

JUDGMENT AWARING COMPENSATION
AND DIRECTING CLERK TO PAY
FUNDS ON DEPOSIT FOR PARCEL
NO. 12-C.

(Filed Mar. 29th, 1944)

This matter coming on regularly for hearing this day on the stipulation herein by and between the petitioner, United States of America, and respondent, City of Tacoma, a municipal corporation, petitioning for the withdrawal of the sum of \$777.00 deposited with the Clerk of this Court by the United States of America, as estimated just compensation for the taking of the real property designated in the petition for condemnation and the declaration of taking as Parcel No. 12-C, and hereinafter more fully described, and said respondent having agreed by said stipulation to accept the sum of \$639.25 as full settlement of all claims against the United States of America for, and as final award of just compensation for the taking of said real property, and having consented to the refund of the balance of said deposit to the Treasurer of the United States, and the Court having considered the proof offered as to the rights of said respondent to the sum claimed and as to the fair and reasonable value of the property so taken, and it further appearing to the Court that the United States of America agrees with the respondent, City of Tacoma, a municipal corporation, that there shall be excluded and excepted from the taking herein the southeasterly sixty (60) feet by the United States of America for the parking of automobiles for the duration of the present war and six months thereafter, and the Court being duly advised in the premises, now, therefore, it is hereby

ORDERED, that the Clerk of this Court do, and he is hereby directed to distribute the moneys now on deposit as follows:

To the City of Tacoma, a municipal corporation;	\$639.25
To the Treasurer of the United States of America;	137.75
TOTAL - - - - -	\$777.00

It is further ORDERED, ADJUDGED and DECREED that the sum of \$639.25 is the full and fair value of the real estate below described, and that the payment in full of said \$639.25 shall constitute full settlement of all claims against the United States of America for, and the final award of just compensation for the taking of the said real estate, situate in Pierce County, Washington and more particularly described as follows:

PARCEL NO. 12-C:

Portion of North half of northwest quarter of northwest quarter of Section Thirty-five (35) and of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said section north 0° 2' 37" west 212.23 feet; thence North 69° 17' 27" east 126.59 feet; thence South 89° 40' 55" east 28.19 feet to the true place of beginning of this description; thence south 89° 48' 35" east 391.55 feet to a line parallel with and 400 feet northeasterly of the northeasterly line of Alexander Avenue; thence on said parallel line south 47° 15' 56" east 120.83 feet; thence south 42° 44' 24" west 400 feet to said line of Alexander Avenue; thence on said line of Avenue north 47° 15' 36" west 556.49 feet to the true place of beginning, except the southeasterly 60 feet as set forth in the stipulation on file herein.

It is further ORDERED, ADJUDGED and DECREED that the fee simple title to the above-described land is vested in the United States free and clear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 29 day of March, 1944.

CHARLES N. LEAVY
United States District Judge

Presented by:

563624

Anthony K. Stella
Special Attorney
Department of Justice.

1944 MAR 1 PM 8 12

The foregoing is a full, true and correct copy of
the within instrument, this 1 day
of April 1944.

By *E. Egan*
Special Agent

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

CERTIFICATE OF TITLE

No. 30220-12C

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

SIX HUNDRED THIRTY-NINE and 25/100 --- DOLLARS (\$639.25)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harvey Fogg President
Samuel E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Willis C. Craighead Assistant Secretary

563624

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SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of north half of northwest quarter of northwest quarter of Section Thirty-five (35), and of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said section, north $0^{\circ}3'37''$ west 312.23 feet; thence north $69^{\circ}17'27''$ east 126.59 feet; thence south $89^{\circ}48'35''$ east 26.19 feet to the true place of beginning of this description; thence south $89^{\circ}48'35''$ east 591.55 feet to a line parallel with and 400 feet northeasterly of the northeasterly line of Alexander Avenue; thence on said parallel line south $47^{\circ}15'36''$ east 120.83 feet; thence south $42^{\circ}44'24''$ west 400 feet to said line of Alexander Avenue; thence on said line of Avenue north $47^{\circ}15'36''$ west 556.49 feet to the true place of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

(End of Schedule B)



Office of the Attorney General
Washington, D.C.

February 14, 1945

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OFFICE OF THE
SECRETARY OF THE NA

Honorable James V. Forrestal
Secretary of the Navy
Washington, D. C.

Y & D



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NAVY DEPARTMENT
Secy's Office - Records Div.

My dear Mr. Secretary:

Enclosed is a certificate of the clerk of the court showing a deposit of the sum of \$1,280.00, into the registry of the court, pursuant to a deficiency judgment, dated November 27, 1944, for the acquisition of Parcel No. 12-B, 2.4 acres, of the Seattle-Tacoma Shipbuilding Corporation project included in the condemnation proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, in the United States District Court for the Western District of Washington, Southern Division.

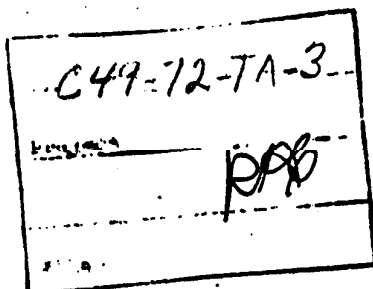
The title to Parcel 12-B has heretofore vested in the United States of America in fee simple, subject to existing public utility easements. The above-mentioned judgment is now satisfied and the acquisition of Parcel 12-B is completed.

Also enclosed are the certificates of title, copy of the judgment and related papers.

All encls. rec'd
EXOS Mail Room

Respectfully,

Francis Biddle
Attorney General



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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
~~NORTHERN~~ DIVISION
SOUTHERN

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 Acres of Land in Pierce County,
Washington, and Tacoma Harbor Lumber
Company, et al.,

Respondents

FINAL PARTIAL
T R A N S C R I P T

NO. 467

Parcel 12-B

33-49- 405-2

NON-DEFICIENCY

SO2 17 13

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-12B

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PHILADELPHIA QUARTZ COMPANY OF CALIFORNIA, Ltd., a California corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
TWO HUNDRED FIFTY and NO/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Grace Fogg President
Sumner E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Miss C. C. O'Brien Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7) "Ashton's Replat"
below referred to, described as follows:

Beginning at the southwest corner of Section 26, Township 21 North, Range 3 East of the Willamette Meridian; thence on the west line of said Section North $0^{\circ}3'37''$ west 312.23 feet; thence on the Government Meander Line in front of said Section North $69^{\circ}17'27''$ East 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue North $47^{\circ}15'36''$ west 33.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly King County, Washington" commonly referred to as "Ashton's Replat"; thence on said parallel line North $42^{\circ}44'24''$ east 400 feet; thence parallel with said line of Alexander Avenue south $47^{\circ}15'36''$ east 121.25 feet to intersect the Government Meander Line; thence south $20^{\circ}05'59''$ west 131.865 feet; thence continuing along Meander line south $69^{\circ}17'27''$ west 311.12 feet to the true point of beginning.

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SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

1. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
2. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.
3. Provisions of Chapter 45 of the session laws of 1939, or the State of Washington, regulating the use of said lands.

(End of Schedule B)

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA 2, WASHINGTON

November 14, 1944

1281 Broadway

No. 30220 - 12B

Cause No. 457

Department of Justice
Lands Division
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1943, except:

The title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA.

The matters noted in paragraphs 1 and 3 of Schedule B of said preliminary report may now be disregarded.

Records examined to November 9, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

Willis C. Crawford

Assistant Secretary

DLW

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-125/2131

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PHILADELPHIA QUARTZ COMPANY OF CALIFORNIA, Ltd., a California corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use immediate vendor.
and that of its

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harold Fogg President
Summit E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Willis C. O'Connell Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said Section north $0^{\circ}3'37''$ west 312.23 feet; thence on the Government Meander line in front of said Section north $69^{\circ}17'27''$ east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence continuing on said Meander line 311.12 feet; thence north $20^{\circ}05'59''$ east 131.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south $47^{\circ}15'36''$ east 357.92 feet; thence north $89^{\circ}48'35''$ west 591.55 feet to said line of Alexander Avenue; thence on said line of Avenue north $47^{\circ}15'36''$ west 10.45 feet to the true point of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now to exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

1. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
2. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.

(End of Schedule B)

E. FOGG, PRESIDENT

Reproduced at the National Archives-Pacific NW Region

STEWART E. PERRY, SECRETARY

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Returned by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA 2, WASHINGTON

November 14, 1944

Telephone Broadway 1281

No. 30220 - 12B-1

Cause No. 467

Department of Justice
Lands Division
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1943, except:

The title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA.

The matter noted in paragraph 1 of Schedule B of said preliminary report may be disregarded.

Records examined to November 9, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

Stewart E. Perry

Assistant Secretary

DLW

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce
County, Washington, and Tacoma
Harbor Lumber Company, et al.,

PHILADELPHIA QUARTZ COMPANY OF
CALIFORNIA, LTD., a California
corporation;

Respondents.

DOCKET NO. 467

JUDGMENT AND ORDER TO PAY
FUNDS AND FOR A DEFICIENCY
JUDGMENT FOR PARCEL NO. 12-B.

(Filed Dec. 27, 1944)

This matter coming on regularly for hearing this day on the stipulation herein by and between petitioner, United States of America, and respondent, Philadelphia Quartz Company of California, Ltd., a California corporation, by and through their attorneys of record petitioning for the withdrawal of Seven Hundred Twenty (\$720.00) Dollars on deposit in the Registry of the Court for Parcel No. 12-B and designated in said amended petition in condemnation as a portion of Tract No. 2 and in the declaration of taking as a portion of Parcel No. 12, and for a deficiency judgment in the sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars without interest, and said respondent having appeared herein, having consented to the jurisdiction of this Court and having waived notice of hearing; and

It appearing to the Court by said stipulation that the respondent, Philadelphia Quartz Company of California, Ltd., a California corporation, agrees to accept the sum of Two Thousand (\$2,000.00) Dollars as full settlement of all claims against the United States of America for and as final award of just compensation for the taking of said Parcel No. 12-B; and

It appearing to the Court by said stipulation that the United States of America, petitioner, has agreed to pay to the respondent the total sum of Two Thousand (\$2,000.00) Dollars as full and just compensation for the taking of said property; and

It further appearing that the sum of Seven Hundred Twenty (\$720.00) Dollars was deposited in the Registry of the Court as estimated just compensation for the taking of Parcel No. 12-B hereinafter described; and

It further appearing that the sum of Two Thousand (\$2,000.00) Dollars is just compensation for the taking of said Parcel No. 12-B

and that the respondent, Philadelphia Quarts Company of California, Ltd., a California corporation, is the only person interested in the compensation to be paid for said property; and the Court being fully advised in the premises;

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that the just compensation for the taking of Parcel No. 12-B and designated in said amended petition in condemnation as a portion of Tract No. 2 and in the declaration of taking as a portion of Parcel No. 12, is the sum of Two Thousand (\$2,000.00) Dollars and that said sum is the total amount of damages including the full and fair value of said Parcel No. 12-B; and

It is further ORDERED, ADJUDGED and DECREED that the only person having an interest in the compensation to be paid for said Parcel No. 12-B is Philadelphia Quarts Company of California, Ltd., a California corporation, and the Clerk of this Court is hereby directed to pay out the sum of Seven Hundred Twenty (\$720.00) Dollars now on deposit in the Registry of this Court, as follows:

To Philadelphia Quarts Company of California,
Ltd., a California corporation \$720.00

And it is further ORDERED, ADJUDGED and DECREED that the respondent, Philadelphia Quarts Company of California, Ltd., a California corporation, have and recover from the United States of America as a deficiency judgment the sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars without interest, which sum together with the sum of Seven Hundred Twenty (\$720.00) Dollars hereinbefore ordered paid makes up the sum of Two Thousand (\$2,000.00) Dollars awarded herein as just compensation for the taking of said Parcel No. 12-B, which parcel is situated in Pierce County, State of Washington, and is more particularly described as follows:

PARCEL NO. 12-B:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON
Portion of Lot Seven (7) "Ashton's Replat" below referred

to, described as follows:

Beginning at the southwest corner of Section 26, Township 21 North, Range 3 East of the Willamette Meridian; thence on the west line of said Section North $0^{\circ}5'37''$ west 312.23 feet; thence on the Government Meander Line in front of said Section North $69^{\circ}17'27''$ East 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue North $47^{\circ}15'36''$ west 33.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly King County, Washington" Commonly referred to as 'Ashton's Replat'; thence on said parallel line North $42^{\circ}44'24''$ east 400 feet; thence parallel with said line of Alexander Avenue south $47^{\circ}15'36''$ east 121.25 feet to intersect the Government Meander Line; thence south $20^{\circ}05'59''$ west 181.865 feet; thence continuing along Meander line south $69^{\circ}17'27''$ west 311.12 feet to the true point of beginning; also

Portion of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said Section North $0^{\circ}5'37''$ west 312.23 feet; thence on the Government Meander line in front of said Section north $69^{\circ}17'27''$ east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence continuing on said Meander line 311.12 feet; thence north $20^{\circ}05'59''$ east 181.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south $47^{\circ}15'36''$ east 387.92 feet; thence north $89^{\circ}48'35''$ west 391.55 feet to said line of Alexander Avenue; thence on said line of Avenue north $47^{\circ}15'36''$ west 10.45 feet to the true point of beginning.

and that payment of said sum shall constitute payment of all claims for damages resulting to the respondent above named for the taking by condemnation of said real property.

DONE IN OPEN COURT this 27 day of November, 1944.

Presented by:

CHARLES H. LEAVY

United States District Judge

Anthony K. Little
Special Attorney
Department of Justice

Approved by:
METZGER, BLAIR & GARDNER

By A. E. Blair
Attorney for Respondent,
Philadelphia Quarls Company,
Ltd., a California corporation.

The foregoing is a full, true and correct copy of an original
filed on the 27th day of November, 1944
with the Clerk of the Court and official this and
of December 1944

MILLARD P. THOMAS Clerk

By Edwin J. Furman
DEPUTY

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce County,
Washington, and Tacoma Harbor Lumber
Company, et al.,

PHILADELPHIA QUARTZ COMPANY OF CALIFORNIA,
LTD., a California corporation.

Respondents.

DOCKET NO. 467

ORDER DIRECTING CLERK TO
PAY DEFICIENCY JUDGMENT
FOR PARCEL NO. 12-B.

(Filed November 29, 1944)

THIS MATTER coming on regularly for hearing this day, and it
appearing to the Court that on November 27, 1944, deficiency judgment
in the sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars with-
out interest was entered herein in favor of Philadelphia Quartz Company
of California, Ltd., a California corporation, against the United States
of America, on account of the taking of the property therein described,
and it further appearing to the Court that on November 28, 1944, the sum
of One Thousand Two Hundred Eighty (\$1,280.00) Dollars was deposited
by the United States of America in the Registry of the Court on account
of said deficiency judgment, and the Court being generally duly advised
in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Clerk of this Court
be, and he is hereby authorized and directed to pay to Philadelphia
Quartz Company of California, Ltd., a California corporation the said
sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars in full
payment and satisfaction of said deficiency judgment.

IT IS FURTHER ORDERED that payment of said deficiency judgment
shall constitute full settlement of all claims against the United States
of America for the taking of the property described in said judgment of
November 27, 1944.

DONE IN OPEN COURT THIS 29th day of November, 1944.

Presented by:

Anthony L. Stille
Special Attorney
Department of Justice.

CHARLES H. LEAVY
United States District Judge

The foregoing is a full, true and correct copy of an
original order directing clerk to pay
filed on the 29th day of November, 1944
WITNESS my hand and seal of office
of the Western District of Washington
at Seattle, Washington
November 29, 1944
Clerk

Commonwealth Title Insurance CompanyW. R. RUST BUILDING
TACOMA, WASHINGTON**FINAL
CERTIFICATE OF TITLE**

No. 30220 - 12B

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

ONE THOUSAND and No/100 - - - - - DOLLARS.

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harper Fogg President
James E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Willis C. Coffey Assistant Secretary

SO2 17 13

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SECTION A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7), "Ashton's Replat" below referred to, described as follows:

Beginning at the southwest corner of Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, thence on the west line of said Section north $0^{\circ}3'37''$ west 312.23 feet; thence on the Government Meander Line in front of said Section north $69^{\circ}17'27''$ east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue north $47^{\circ}15'36''$ west 33.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block Nine (9) of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly King County, Washington", commonly referred to as "Ashton's Replat"; thence on said parallel line north $42^{\circ}44'24''$ east 400 feet; thence parallel with said line of Alexander Avenue south $47^{\circ}15'36''$ east 121.25 feet to intersect the Government Meander Line; thence south $20^{\circ}05'59''$ west 131.865 feet; thence continuing along Meander line south $69^{\circ}17'27''$ west 311.12 feet to the true point of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now exist of record.

(End of Schedule B)

Commonwealth Title Insurance CompanyW. R. RUST BUILDING
TACOMA, WASHINGTON**FINAL
CERTIFICATE OF TITLE**

No. 30220 - 12 - B - 1

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of
ONE THOUSAND and No/100 - - - - - DOLLARS.

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use
and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be
duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harold Fogg President
James E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Walter C. Coffey Assistant Secretary

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SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26, thence on the west line of said Section north $0^{\circ}3'37''$ west 312.23 feet; thence on the Government Meander line in front of said Section north $69^{\circ}17'27''$ east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence continuing on said Meander line 311.12 feet; thence north $20^{\circ}05'59''$ east 131.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south $47^{\circ}15'36''$ east 357.92 feet; thence north $89^{\circ}48'35''$ west 591.55 feet to said line of Alexander Avenue; thence on said line of Avenue north $47^{\circ}15'36''$ west 10.45 feet to the true point of beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

(End of Schedule B)



Office of the Attorney General
Washington, D.C.

June 21, 1945

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JUN 26 1945

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NAVY DEPARTMENT
WASHINGTON, D.C.



Honorable James V. Forrestal
Secretary of the Navy
Washington, D. C.

SO6 26 20

My dear Mr. Secretary:

ALL INFO. 1945

Enclosed is a certificate of the clerk of the court showing a deposit of the sum of \$12,033.51 into the registry of the court, pursuant to a deficiency judgment, dated January 20, 1945, for the acquisition of Parcels Nos. 12-A and 13-A, 6.45 acres, of the Seattle Tacoma Shipbuilding Corporation project included in the condemnation proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, in the United States District Court for the Western District of Washington, Southern Division.

The title to Parcels Nos. 12-A and 13-A has heretofore vested in the United States of America in fee simple, subject to existing public utility easements. The above-mentioned judgment is now satisfied and the acquisition of Parcels Nos. 12-A and 13-A is completed.

ALL INFO. 1945

EXOS Mail Room

Also enclosed is a certified copy of the final judgment.

Respectfully,

Francis Biddle

Attorney General

No. C.49-72-TA-3
Project <i>BSW</i>
File

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W. J. [Signature]
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ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
DETAILS AND NUMBER

DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

BY-REM

33-49-405-2

April 30, 1945

BY MESSENGER

ND 13/N 1-13
7-5

Commander Andrew J. Murphy, Jr.
Acting Head, Real Estate Division
Bureau of Yards and Docks
Department of the Navy
Washington, D. C.

Dear Commander Murphy:

In connection with the proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, in the United States District Court for the Western District of Washington, Northern Division, being acquired for the Tacoma Shipbuilding Corporation, there are enclosed the preliminary certificates of title and one certified and two uncertified copies of the judgment for the following tracts:

Tract	Acres	Date of Judgment	Deposit	Award	Deficiency
12-A	2.57	January 20, 1945	\$1,235.00	\$ 4,112.00	
13-A	3.88	January 20, 1945	2,640.00	10,208.00	(\$10,445.00)

The sum of \$3,875.00 was deposited in the registry of the court with the declaration of taking and the amount of the award is \$14,320.00, with interest as set out in the judgment. It is requested that a check for \$10,445.00, with interest, be transmitted to this Department in settlement of the deficiency judgment.

Respectfully,
For the Attorney General

Francis Biddle
J. EDWARD WILLIAMS
Acting Head, Lands Division

No. C 49-72-TA-3

FROM: _____

Enclosure
No. 272561



836460

ND13/ML-13
849-72-Ta-3
P-5-3/RAG:bjw

May 28, 1945

Acting Head, Lands Division
Department of Justice
Washington 25, D. C.

Sir:

Reference is made to the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Civil No. 467.

Pursuant to the request contained in your letter of April 30, 1945, there is forwarded herewith check numbered 739,888 in the amount of \$12,033.51 in satisfaction of the judgment entered as to Parcels 12-A and 13-A. The check represents deficiency payment in the amount of \$10,445.00, plus interest at the rate of 6% on the following basis:

- \$ 322.32 on \$10,320.00, from the date of filing of the petition, December 11, 1942, to the date of amendment of the petition to take the fee, June 18, 1943.
- \$ 174.19 on \$14,320.00, the total award, from June 18, 1943 until the date of filing declaration of taking, August 11, 1943.

RAG

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\$1,092.00 on \$10,445.00, the deficiency,
from August 21, 1943 to the
presumed date of deposit of the
enclosed check, May 29, 1945.

Parcels	Deposit	Endowment	Deficiency	Interest
12-A and 13-A	\$ 3,875.00	\$ 14,320.00	\$ 10,445.00	\$ 1,588.51

Yours very truly,

ANDREW J. MURPHY, JR.
Commander, USNR
Head, Real Estate Division
Bureau of Yards and Docks

Enclosure
1. Check

OO: Lt. Wilson

NAVDOCKS 327

CHECK RECEIPT

29 May 1945

(Date)

I hereby acknowledge receipt of Check No. 733,888
dated May 25, 1945 drawn on the Treasurer of the United
States, payable to Clerk of the U.S. District Court for the
Western District of Washington

in the sum of \$ 12,033.51, by Commander W. J. McNeil,
Supply Corps, U.S.N.R., Symbol No. 50,037 for
deficiency in the case of U.S. v. 16.2 acres of land in Tacoma,
Washington.- expansion of Seattle-Tacoma Shipbuilding Co.

File No. C49-72-Ta-3

K. L. McNeil
Name

Title

Room No.

DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

June 2, 1945

I, MILLARD P. THOMAS, Clerk of the United States District Court for the Western District of Washington, do hereby certify that I have this 2nd day of June, 1945 received from the Department of Justice, Lands Division, Treasurer's Check No. 733,888 in the sum of \$12,033.51, same being deficiency judgment in the sum of \$10,445.00 plus interest in the sum of \$1,588.51 in the condemnation proceeding entitled U. S. v. 16.2 Acres of Land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket 467, Parcels 12-A and 13-A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at Tacoma, Washington, this 2nd day of June, 1945.

S06 26 20

MILLARD P. THOMAS, Clerk

By Elmer D. DeLoren
Deputy Clerk.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 Acres of Land in Pierce County,
Washington, and Tacoma Harbor Lumber
Company, et al.,

Respondents

INTERMEDIATE PARTIAL
T R A N S C R I P T

NO. 467

Parcel 12-A & 13-A

33-49-405-2

~~DEF~~-DEFICIENCY

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-12-A

Cause No. 467

TO THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

TACOMA HARBOR LUMBER COMPANY, a Washington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Harper Fogg President
Summit E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. J. Booth President
William C. Ogden Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7), "Ashton's Replat",
below referred to, described as follows:

Beginning at the intersection of the north-
easterly line of Alexander Avenue as now laid
out by the City of Tacoma, and the southeasterly
line of Block 9, "State Land Commissioner's Replat
of Blocks 13 to 48, both inclusive, Tacoma Tidelands,
formerly in King County, Washington," commonly re-
ferred to as 'Ashton's Replat,' thence on said line
of Block 9 North $42^{\circ}44'24''$ East 400 feet; thence
parallel to said line of Avenue, South $47^{\circ}15'36''$ East
280 feet; thence parallel to said line of Block 9
South $42^{\circ}44'24''$ West 400 feet to said line of Avenue;
thence north $47^{\circ}15'36''$ West 280 feet to the place of
beginning.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; or which otherwise may be known actually to exist, but which may not be of record.

1. General taxes for the year 1943, in the original amount of \$38.73, the first half of which became delinquent June 1, 1943; the second half will become delinquent December 1, 1943, if then unpaid.
2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
3. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.
4. Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating the use of said lands.

(End of Schedule B)

Commonwealth Title Insurance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

PRELIMINARY
CERTIFICATE OF TITLE
No. 30220-13A

TO THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

TACOMA HARBOR LUMBER COMPANY, a Washington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

Walter E. Fogg President
James E. Perry Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

L. S. Booth President
Willis C. Sedgwick Assistant Secretary

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

That portion of Lot Seven (7), "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington" commonly known as "Ashton's Replat" lying southwesterly of Alexander Avenue as now laid out by the City of Tacoma; also all of that portion of Lot Eight (8) in said subdivision lying northeasterly of a line parallel to and 400 feet southwesterly of the southwesterly line of said Alexander Avenue.

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all encumbrances, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; or which otherwise may be known actually to exist, but which may not be of record.

1. General taxes for the year 1943 on said premises and other property, in the original amount of \$56.72, the first half of which became delinquent June 1, 1943, the second half will become delinquent December 1, 1943, if then unpaid.
2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
3. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.
4. Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating use of said lands.

(End of Schedule B)